PURPOSE

It is the purpose of these regulations to establish guidelines, policies, procedures, rates, and penalties for the safe, efficient, and sound fiscal operation of the sanitary sewer collection and treatment system owned by the VILLAGE of LEESVILLE.

The Sewer System Regulations are intended to protect and preserve the physical integrity of the sanitary sewer collection and treatment system.

The user charges set forth in the Sewer System Regulations are intended to recover from the sewer system users the costs of operation, maintenance, capital debt, repair, replacement and reasonable contingencies.

I. SEWER SYSTEM REGULATIONS

SECTION A. USE OF PUBLIC SEWERS REQUIRED

1. No person shall place, deposit or permit to be deposited, in any unsanitary manner on public or private property within the VILLAGE or in any area under the jurisdiction of the VILLAGE, any human or animal excrement, garbage or other matter which is or may become offensive, noxious, or dangerous to the public health.

2. No person shall discharge to the waters of the State within the area under the jurisdiction of the VILLAGE, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the requirements of the EPA or the local health department.

3. Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

4. The owner of any house, building, or properties used for human occupancy, employment, recreation, or other purposes, situated within the area under the jurisdiction of the VILLAGE and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary sewer of the VILLAGE, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly to the sanitary sewer, in accordance with the provisions of these regulations, within 60 days after date of official notice to do so, provided that such street, alley, or right-of-way is within 200 feet of the foundation walls of such house, building, or other property at all usable for human occupancy.

5. If connection to the sanitary sewer is not complete within 90 days after the date of official notice to do so, immediate steps will be taken to make such connection at the expense of the owner and assess it upon the property. The monthly sewer rates and charges become effective the date of connection. The VILLAGE shall charge the property owner the current sanitary sewer charges in effect and shall collect same according to the regulations of the VILLAGE.

6. Where a public sanitary sewer is not available under the provisions herein, the building sewer shall be connected to a private sewage collection system complying with the provisions of the regulations of the CARROLL County Health Department. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the VILLAGE. The type, capacities, location, and layout of a private sewage collection system shall comply with all provisions of the regulations of the CARROLL County Health Department.

7. At such time as a public sewer becomes available to a property served by a private sewage collection system, as provided herein, a direct connection shall be made to the public sewer in compliance with these regulations, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with sand or gravel at the time the connection to the public sewer is made and the owner shall comply with all applicable requirements of this Ordinance.

8. No unauthorized person shall uncover, make connection with, or an opening into, use, alter, repair, or disturb any public sewer or appurtenance thereto without having first obtained a permit from the VILLAGE, issued under the authority of this Ordinance.

SECTION B. SEWER CONSTRUCTION PERMIT

1. Before any building sewer or on-lot system is constructed, repaired or altered, a permit must be obtained from the VILLAGE. All permits issued hereunder shall expire sixty (60) days from the date of issuance. No refund of the permit and inspection charge shall be made unless a request is made and the permit returned within the sixty (60) day permit period.

2. All permits for sewer connections shall be made on the form furnished by the VILLAGE (see Exhibit A: Sewer Construction Permit Form). The applicant for a permit must furnish the following information:

   a. Physical Address of Building or Property
   b. Name of Owner
   c. Owner's Mailing Address
   d. Owner's phone number
   d. Owner must check residential, commercial, industrial, or other and list name
   e. Name of owner's contractor
   f. Phone number of owner's contractor

3. Such permit will be issued only to a person who can satisfy the VILLAGE that he is competent to do such work. An inspection charge as set forth in Section D2 shall be paid to the VILLAGE at the time of application for the permit.

4 All sewers shall be inspected and approved by the VILLAGE after installation but before covering with backfill. Upon inspection, and after the inspector has satisfied himself that the installation has been made according to the requirements of this Ordinance, and that all

possible sources of storm water have been eliminated from the sewer, and if such installation complies with the provisions of this Ordinance, shall sign the same, with the VILLAGE thereafter mailing one copy to the property owner, and one copy shall be retained for the permanent files of the VILLAGE for its record. Only after the inspector has signed the permit may the service line be connected to the sewer and the trench filled.

SECTION C. TAP FEE

1. All new customers of the VILLAGE of LEESVILLE Sanitary Sewer System, who were not an initial user when the system first began operating, will be required to pay a tap fee before connecting to the system.

2. Except as hereinafter provided, no person shall connect any building or other structure either directly or indirectly to the sewage collection system without first paying to the VILLAGE a tap fee at the time of permit application.

3. The VILLAGE shall not issue a permit to connect to the sewage collection system until the applicant for such a permit shall have deposited in cash, or by certified check payable to the VILLAGE of LEESVILLE.

4. The tap fee shall be $1,500 per equivalent residential unit (ERU). Equivalent residential units are determined based on the following criteria:

User Categories and ERU Criteria[1]

Type of User	Estimated Sewage Flow (GPD)	ERU[2]
Residential:		
Homes	200 per home	1 per home
Apartments	200 per apartment	1 per apartment
Trailer Parks	200 per trailer	1 per trailer
Vacation Cottages	200 per cottage	1 per cottage
Non-Residential:		
Assembly Hall	2 per seat	0.01 per seat
Beauty Shop, Styling Salon	100 per basin	0.5 per basin
Bowling Alleys (No Food Service)	75 per lane	0.38 per lane
Church	5 per sanctuary seat	0.03 per sanctuary seat
Elementary School	15 per pupil	0.08 per pupil
Institution (Residential)	100 per resident	0.50 per resident
Laundry	400 per machine	2.0 per machine

Motels	100 per room	0.50 per room
Office Building	20 per employee	0.10 per employee
Parks and Camps	87 per tent	0.44 per tent
Restaurant, Ordinary (Not 24-hour)	35 per seat	0.18 per seat
Restaurant, 24-Hour	20 per employee	0.10 per employee
Retail Store	1000 - 1st pump island	5.0 1st island
Service Station	500 - additional islands	2.5 additional island
Swimming Pool	5 per swimmer	0.03 per swimmer
Tavern (Very Little Food Service)	35 per seat	0.18 per seat

[1] OEPA suggested sewage flow guide is basis for EDU.
[2] ERU is equivalent to 200 gals/day - 1 ERU minimum for any service.

5. In the event the VILLAGE ascertains that any property has been connected to the sewage collection system without a proper permit, the VILLAGE may disconnect such property until such violation ceases. In the event a property is disconnected and subsequently reconnected under this section, the owner shall be subject to the disconnection/reconnection charges provided herein. Such charges shall be added to the customer's sewer service bill.

SECTION D. SEWER CONSTRUCTION AND MAINTENANCE

1. All building sewer connections must be made in accordance with the Ohio Administrative Code, Sections 305 and 306 (see Exhibit B). All building sewers shall be inspected and approved by the VILLAGE after installation but before covering with backfill (see Exhibit C. Sewer Construction Inspection Form). The person to whom the permit has been issued shall call the VILLAGE, requesting the inspection, at least two days before the inspection is desired. The connection shall not be made until approved by a representative of the VILLAGE and under their supervision.

2. The inspection fee per building shall be $75.00. Payments must be made to the VILLAGE at the time of permit application.

3. The building sewer shall be constructed of a size not less than four inches, internal diameter, and using proper bends or curves for all changes in alignment or grade. All joints and connections shall be made gas tight and water tight. The VILLAGE may require the sewer tapper to demonstrate the tightness of the joints by such tests as he may deem necessary and require additional jointing material or concrete collars at any or all joints.

4. The building sewer shall have a minimum fall of four (4) inches per sixteen (16) foot of sewer from the building to the public sewer. The junction between the building sewer and the house plumbing shall be made water tight. The interior of each length of pipe shall be made perfectly clean and free from offsets, fins and projections before the next length is

connected thereto. All building sewers shall be graded by line and pole, the line being first leveled from the building to the public sewer and then lowered at the down stream end to obtain the required fall.

5. A cleanout should be constructed immediately outside the building. The cleanout shall consist of a four (4) inch 45 degree wye-branch with eighth bends, or equal, aligning the riser pipe to grade. The riser pipe shall be at grade level or an inch or two below the surface. Caps for cleanouts on PVC pipe may be threaded inserts of the same material as the cleanout. Also, cleanouts shall be provided at least every seventy-five (75) feet in a straight run of direction, or when making changes in direction of a run. At a minimum, one cleanout will be placed at the homeowner's property line (by the property owner). This does not negate any of the other requirements for cleanouts where other bends are requires. Bends or 90 degree elbows with cleanouts shall be utilized for cleaning purposes as mentioned earlier.

6. A separate and independent building sewer shall be provided for each residence or building; except where one building stands at the rear of another on an interior lot and separate building sewers cannot be made available to each building; thence one building sewer maybe extended to serve both buildings. A permit shall be obtained for each building connected to the building sewer.

7. Foundation drains shall not be connected, either directly or indirectly to the building sewer or public sewer. If any drains are installed, carrying surface or subsurface water, they shall be constructed to carry said water to the street or other natural water courses.

8. Surface water which collects in basement or foundation excavations shall not be discharged at any time into the building sewer. If the building sewer is completed before the house plumbing can be connected thereto, the building or sewer tapper shall keep the end of the building sewer tightly closed at all times with a plumber's plug or other water tight plug in order to prevent said surface or ground water from entering the building sewer.

9. Old or existing building sewers may be used in connection with new building or alterations only when it can be demonstrated that they conform in all respects to the requirements contained herein for new building sewers.

10. Building sewers shall not be constructed closer than three feet to any exterior wall, cellar, basement or cistern nor shall they have less than two feet of earth or stone cover.

11. Where the building sewer will cross unstable soil or close to a tree where roots may enter the joints, extra heavy cast iron pipe, solidly caulked, may be required. PVC pipe meeting AWWA C-900 standard or cast iron pipe shall be required when the building sewer is within ten feet of a water service line, well, spring, cistern or other sources of water supply.

12. All excavation for sewers shall be by open cut from the surface unless otherwise approved by the VILLAGE. The sides of the trench shall be substantially vertical, using such sheeting and bracing as may be necessary to accomplish this result. The bottom of the

excavation shall be shaped to fit the lower half of the sewer so that the pipe will have uniform bearing from end to end. In the event the trench is excavated below the required grade of the pipe, the excess space shall be filled with pea gravel or stone not over 3/4 inch in diameter. The width of the trench at the top of the pipe shall not exceed two feet plus the outside diameter of the pipe nor shall the width at that point be less than one foot plus the outside diameter of the pipe. Under no condition shall a 90 degree bend pipe fitting be installed.

13. Water and gas service shall not be laid in the same trench as the building sewer.

14. The person to whom a permit is issued shall be responsible for obtaining any required permits to open cut any street, road or alley from the appropriate political body, official or person having VILLAGE or jurisdiction over such work.

15. The building sewer shall be backfilled to an elevation at least six inches over the top of the pipe by tamping in six inch layers. Soil containing stones larger than three inches, in the greatest dimension, shall not be used for backfill. The balance of the backfill may be deposited in any manner which will not damage the pipe or disturb the alignment or grade of the sewer; except that the balance of the backfilling shall be done in such a manner and with such material as may be required by the permit.

16. All joints and connections shall be made gas-tight and water-tight. Mission or Fernco type flexible couplings may be acceptable in joining dissimilar materials, subject to approval by the VILLAGE.

17. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the VILLAGE.

18. For new connections into the sanitary sewers, the connection methods must be approved by the VILLAGE prior to initiating construction of the building sewer. A concrete collar may be required.

19. All vents shall be constructed so as to prevent foreign objects from being introduced into the sanitary sewers. Tees will not be permitted in any part of the sewer service connection. In order to protect the VILLAGE sewer system, the plumbing for all buildings to be connected to the system shall be installed in accordance with the minimum requirements of the Plumbing Code, Health Department, and any applicable standards established by the State of Ohio. This requirement is primarily intended to apply to new building construction; however, the superintendent may require corrective work on the plumbing systems of any existing buildings where serious violations of accepted good practices in plumbing are observed. Such corrective action shall be completed prior to connection of the building sewer from the affected structure to the sewer system.

20. The permit holder will be required to repair or restore any drains or service lines damaged or disturbed by him during the construction of the building sewer.

21. Following construction of a building sewer, the property owner shall own, maintain, repair or replace the building sewer from the building foundation to the publicly owned sewer.

22. If the VILLAGE receives a service call for a property to investigate a sewage backup and performs services to clean a building sewer for which the owner is responsible, the VILLAGE may charge the owner for labor, material and equipment costs incurred. Such charges may be placed on the owner's sewer service bill.

23. Property owners are responsible and required to abandon their existing septic tank or any other facility meant to collect sewage from the building by pumping the septic tank or facility, demolishing the top of the tank or facility, creating holes in the sides of the tank or facility, and filling the tank or facility with sand or gravel. Tanks or facilities cannot be filled with dirt.

24. The property owner is responsible for ensuring that all wastewater drains are properly plumbed into the building sewer, otherwise the VILLAGE or County Health Department may order the owner to make said connection.

SECTION E. DISCHARGES TO THE PUBLIC SEWERS

1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

2. Storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the local authorities. Industrial cooling water or unpolluted processed waters may be discharged, on approval of the local authorities, to a storm sewer or natural outlet.

3. No person shall discharge or cause to be discharged, directly or indirectly any pollutant or wastewater which will interfere with the operation or performance of the VILLAGE wastewater treatment facility. These general prohibitions apply to all users of the VILLAGE wastewater treatment facility whether or not the user is subject to National Categorical Pretreatment Standards (40 CFR Part 403) or any other National, State, or Local Pretreatment Standards or Requirements.

4. No person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewers:

a. Any wastewater having a temperature which will inhibit biological activity in the VILLAGE wastewater treatment facility resulting in interference; but in no case, wastewater with a temperature at the introduction into the VILLAGE wastewater treatment facility which exceeds 150 degrees F or causing the temperature at the treatment facility to exceed one hundred four degrees (104) F.

b. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction, to cause fire or explosion or be injurious in any other way to the operation of the VILLAGE wastewater treatment facility.

c. Any water or wastes containing free oils, emulsified oils and grease exceeding an average of one hundred parts per million (833 pounds per million gallons) of other soluble matter.

d. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including cyanides.

e. Any garbage that has not been properly shredded.

f. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood paunch, manure, hair and fleshings, entrails, lime slurry, lime residues, chemical residues, paint residues, cannery waste, bulk solids or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with proper operation of the sewage works.

g. Any waters or wastes containing Suspended Solids (SS) of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, or any substance which may cause the VILLAGE wastewater treatment facility's effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

h. Any noxious or malodorous gas or substance capable of creating a public nuisance, or substances causing the release of noxious or poisonous gases after discharge into the public sewer system.

I. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.

j. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits as may be established by the VILLAGE

from time to time for such materials, and which might cause the VILLAGE wastewater treatment facility to violate its NPDES and/or other Disposal System permits.

k. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the VILLAGE as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters, and which might cause the VILLAGE wastewater treatment facility to violate its NPDES and/or other Disposal System permits.

l. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the VILLAGE in compliance with applicable State or Federal regulations.

m. Any waters or wastes having a pH of less than 5.5 or in excess of 9.0.

n. Materials which exert or cause:

(1) Unusual concentrations of inert Suspended Solids (SS) such as, but not limited to, Fullers earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

(2) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

(3) Unusual biochemical oxygen demand, Suspended Solids (SS), or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

o. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

5. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substance or possess the characteristics which, in the judgment of the VILLAGE, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the VILLAGE may:

a. Reject the wastes;

b. Require pretreatment to an acceptable condition in accordance with guidelines adopted herein for discharge into the public sewers;

c. Require control over quantities and rates of discharge; and or

d. Require payment to cover the added cost of handling and treatment of the wastes not covered by existing taxes or sewer charges.

6. If the VILLAGE permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the VILLAGE and subject to the requirements of all applicable codes, Ordinances, and laws.

SECTION F. POWERS AND AUTHORITY OF VILLAGE INSPECTOR

1. The VILLAGE bearing proper credentials and identification shall be permitted to enter all private properties through which the VILLAGE holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within such easement. All entry and subsequent work, if any, on such easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

2. While performing the necessary work on private properties, the VILLAGE, shall observe all safety rules applicable to the premises established by the owner and the VILLAGE.

3. The VILLAGE bearing proper credentials and identification shall present them to the owner, agent or present occupant of properties within the VILLAGE before entering for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions contained herein. The VILLAGE shall also obtain and present a proper search warrant if the owner, agent or present occupant requests one. A request by the owner, agent or present occupant that the VILLAGE obtain a search warrant is an exercisable right of the requesting party and shall not constitute failure to cooperate nor shall it constitute a failure to comply with the provisions herein. The VILLAGE shall have no right to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond the point of having a direct bearing on the kind and source of discharge into the sewers or water ways to facilities for waste treatment.

SECTION G. LIMITING SEWER CONNECTIONS

1. The VILLAGE shall limit connections into sewer lines if sufficient capacity to handle and treat additional wastewater is unavailable in the system.

2. Any person applying for a permit to connect to a public sewer shall provide, with the application for said building sewer permit, sufficient data, as required by the VILLAGE, regarding the location, type of wastewater and amount of flow to be conveyed to the public sewer.

3. Any costs associated with additional charges herein shall be borne by the person applying for the building sewer permit.

SECTION H. INJURY AND DAMAGE OF SEWAGE WORKS

1. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage collection system. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct and shall be required to make restitution for said damages.

SECTION I. PROHIBITED NONRESIDENTIAL DISCHARGES

1. It shall be unlawful for any nonresidential user to discharge without a permit to any natural outlet within any area under the jurisdiction of the VILLAGE, any wastewater except as authorized by the VILLAGE in accordance with these regulations.

2. In cases where the characteristics of sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it will damage the sewerage system or cannot be treated satisfactorily at the wastewater treatment plant, the VILLAGE shall compel such users to dispose of such waste and prevent it from entering the sewerage system.

SECTION J. NEW NONRESIDENTIAL USERS

1. All new nonresidential users proposing to connect to or to contribute to the wastewater works must obtain a nonresidential discharge permit at least sixty (60) days prior to connecting to or contributing to the VILLAGE's sewage collection system.

2. Users required to obtain a nonresidential discharge permit shall complete and file with the VILLAGE, a permit application in the form prescribed by the VILLAGE, and accompanied by a fee set in accordance with the tap fee currently in effect. In support of the nonresidential discharge permit application, the user shall submit, in units and terms appropriate for evaluation, the following information:

   a. Name, address, and location (if different from the address);

   b. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;

   c. Wastewater constituents and characteristics as required by the VILLAGE as determined by a reliable analytical laboratory; sampling and analysis shall be

performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;

d. Time and duration of contribution;

e. Average daily and three (3) minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;

f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation

g. Description of activities, facilities and plant processes on the premises, including all materials which are to or could be discharged;

h. Where known, the nature and concentration of any pollutants in the discharge which are limited by any VILLAGE, State, or Federal Pretreatment Standards, and a statement regarding whether or not the Pretreatment Standards are being met on a consistent basis and if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;

I. Each product produced by type, amount, process or processes, and rate of production.

j. Type and amount of raw material processed (average and maximum per day).

k. Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

l. Any other information as may be deemed by the VILLAGE to be necessary to evaluate the permit application.

SECTION K. REGULATED NONRESIDENTIAL DISCHARGES

1. In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building or premises shows excessive flow rates or concentration of pollutants such that it imposes an unreasonable burden upon the sewage collection, pumping, or treatment works greater than that imposed by the average sewage entering the sewage system, the VILLAGE may:

a. Comply such manufacturing or industrial plant, building, or premises to pretreat such sewage in such manner as specified by the VILLAGE before discharging it into the sewerage system;

b. Require flow control or equalization of such wastes so as to avoid any "slug" loads or excessive loads that may be harmful to the treatment works, and/or;

c. Require payment of a surcharge on any excessive loadings discharged to the treatment works to cover the additional costs of treating such wastes.

SECTION L. PRETREATMENT INTERCEPTORS

1. All food establishments which maintain a kitchen or other facilities for the preparation of food are required by the VILLAGE to have a grease interceptor of sufficient capacity, except such interceptor shall not be required for private residential dwellings.

2. Other nonresidential users may be required by the VILLAGE to install grease, oil and sand interceptors of sufficient capacity if in the opinion of the VILLAGE, they are necessary to protect the sewerage system.

3. All interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. All interceptors shall be located as to be readily accessible for cleaning and inspection.

SECTION M. PRETREATMENT COSTS.

1. Any pretreatment facility or flow-equalizing facilities required by the VILLAGE shall be constructed, owned, maintained, repaired and replaced at the cost of the owner. Prior to construction of such facilities, the owner shall submit and receive the VILLAGE's approval of detail design plans for the facilities. Thereafter, such facilities shall be maintained continuously in satisfactory operation at the cost of the owner.

SECTION N. PRETREATMENT REPORTING.

1. Any nonresidential user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new user or new source, after commencement of the discharge, shall submit to the VILLAGE during the months of June and December, unless required more frequently in the pretreatment standard or by the VILLAGE, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the VILLAGE and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc. the VILLAGE may alter the months during which the reports are to be submitted.

SECTION O. PRETREATMENT MONITORING

1. Each nonresidential user may be required to construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes including domestic sewage.

2. Control manholes or access facilities shall be located and built in a manner acceptable to the VILLAGE. If measuring devices are to be permanently installed they shall be of a type acceptable to the VILLAGE. Plans for the installation of the control manholes or access facilities and related equipment shall be approved by the VILLAGE prior to the beginning of construction.

3. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this regulation shall be determined in accordance with Standard Methods and in accordance with 40 CFR 136 entitled "Guidelines Establishing Test Procedures for Analysis of Pollutants," and shall be determined at the control manhole provided or upon suitable samples taken at such control manhole.

4. In the event that no special manhole has been required, the control manhole shall be considered to be the septic tank at which the building sewer is connected.

5. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and Suspended Solids (SS) analyses are obtained from twenty-four hour composites of all outfalls, whereas pHs are determined from periodic grab samples.

SECTION P. ACCIDENTAL DISCHARGES

1. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the VILLAGE and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the VILLAGE for treatment, subject to payment therefore by the industrial concern in proportion to cost and consistent with the user charge system.

2. Each nonresidential user may be required to provide protection from accidental discharge of prohibited materials or other wastes regulated by this regulation. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the cost of the owner. Detailed plans showing facilities and operating procedures to provide such protection shall be submitted for review by the VILLAGE, and shall be approved by the VILLAGE before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the nonresidential user from the responsibility to modify the facility as necessary to meet the requirements contained in this regulation.

3. If, for any reason, a nonresidential user does not comply with or will be unable to comply with any prohibition or limitations herein, the user shall immediately notify the VILLAGE that corrective action may need to be taken to protect the treatment plant. In addition, a written report addressed to the VILLAGE detailing the date, time, and discharge, and

corrective action taken to prevent future discharges, shall be filed by the user within 5 days of the occurrence of the non-complying discharge.

II. USER CHARGE SYSTEM

SECTION A. DEFICIT PROHIBITED

1. As part of the annual review provided herein, the VILLAGE or other representative shall make an estimate of the revenues and expenses for the next year. After deducting (1) the estimated operation and maintenance costs, (2) the estimated debt service costs, and (3) the repair and replacement reserve payment from the total estimated revenues and net carryover from the previous year, the system shall maintain a positive working capital.

SECTION B. USE OF REVENUE

1. The funds received from the collection of the rates and charges provided in these regulations shall be deposited as received by the VILLAGE into a separate fund designated the "LEESVILLE VILLAGE Sewer Fund." Disbursements from the fund may be made for operation and maintenance costs, debt service costs, and payments to the "Repair and Replacement Fund," as well as for enlargement of the collection, treatment and disposal capacity of the system. The Fiscal Officer of the VILLAGE shall separately invest the funds of the system and pay any investment earnings to the "LEESVILLE VILLAGE Sewer Fund' and the "LEESVILLE VILLAGE Repair and Replacement Fund."

SECTION C. FREE SERVICE PROHIBITED

1. Service will be provided to the users of the system in accordance with the terms of these regulations. No user shall be provided service without payment of sewer service charges in proportion to the service available to such user. No one, including the VILLAGE shall subsidize the cost of operating, maintaining or replacement of the sewage collection system.

SECTION D. USER CHARGE

1. User charges shall be a flat rate fee of $44.00 per month. As the Village has no way to calculate sewage flow, this rate has been set with the best interest of the public, and the requirements to properly maintain the system. This rate will be reviewed annually each November. This rate may be increased or decreased by motion at each annual review.

SECTION E. BILLING PROCEDURES

1. The sewer service charges established by these regulations shall be billed for the month the service is rendered. The VILLAGE shall bill for sewer service by fifth day of the month.

2. Bills shall be mailed to the owner of the property at the mailing address of the property serviced unless the owner shall, in writing, request the bill be sent to a different mailing address of the owner. Bills shall not be sent to a lessee of the property. In the case where the land is separately owned from the building, the bill shall be sent to the mailing address of the owner of the building.

3. Any property connected to the sewage collection system after the beginning of the month shall be charged a per diem pro-rated amount based upon the applicable monthly charge.

SECTION F. CHANGES OF ADDRESS OR OWNERSHIP

1. Upon the change of his or her mailing address, an owner of property served by the sewage collection system shall inform the VILLAGE, in writing, of the change. Failure to inform the VILLAGE of a change of address shall not excuse an owner from any payment penalties incurred because of the failure to report an address change.

2. Prior to the sale of a property, the present owner shall contact the VILLAGE to arrange for pro-ration of the final bill. The final bill shall be sent to the mailing address specified by the present owner. Failure of a previous owner to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies certified pursuant to the Ohio Revised Code, current charges or penalties remaining unpaid by the previous owner.

3. Prior to the sale of a property, the purchaser shall contact the VILLAGE to arrange for a pro-ration of the first bill and to inform the VILLAGE of the mailing address of the new owner. Failure to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies certified pursuant to the Ohio Revised Code, current charges or penalties remaining unpaid by the previous owner.

SECTION G. PAYMENTS AND PENALTIES

1. The sewer service charge bill shall be due starting the 20th day of each month. If the 20th day of the month falls on a Sunday or holiday, the sewer service charge bill shall be due the previous business day.

2. Checks and money orders shall be paid to the VILLAGE of LEESVILLE.

3. Payments sent by mail and postmarked by the 20th day of the month will be accepted without the imposition of a payment penalty. If the 20th day of the month falls on a Sunday or holiday, the payment sent by mail must be postmarked no later than the previous business day.

4. Payments received or postmarked after the 25th day of the month will be subject to a payment penalty of ten (10) percent of the original amount billed.

5. Any bill that remains unpaid for 30 days will be subject to collection policies, as found in Exhibit D of this document. Failure to pay delinquent balances may result in property tax assessment or other legal action.

6. If a bank should return a check for insufficient funds, an account will be subject to an insufficient funds charge of thirty (30) dollars. A 10% late fee of the entire balance, in addition to the insufficient fund fee, will be charged if the account is not paid in full by the 25th of the current month.

7. If a person has two checks returned for insufficient funds, the VILLAGE may require all future payments to be made in cash or money order.

8. Upon the claim of a person that the return of a check for insufficient funds was a bank error, the VILLAGE may waive an insufficient funds charge and/or accept payment by check if the bank supplies adequate documentation of its error.

9. Generally, a person should contact the VILLAGE if he or she fails to receive a bill by the 10th day of each month. Upon a claim of a person that a bill was not received:

   a. If the records of the VILLAGE show the bill was duly mailed to the last reported mailing address, the person shall be responsible for timely payment of the bill.

   b. If the records of the VILLAGE show the bill was not duly mailed to the last reported mailing address, the VILLAGE may either:

      1. Issue a bill due ten (10) days from the date of mailing; or

      2. Add the unpaid charge to the following month's bill without a penalty.

10. In utilizing the U.S. Postal Service for delivery of their payment of a sewer service charge, users assume responsibility for any failure of the U.S. Postal Service to deliver the payment to the VILLAGE. Accordingly the VILLAGE shall not waive payment penalties for any person claiming that the U.S. Postal Service failed to deliver a payment.

SECTION H. DELINQUENCIES

1. Pursuant to Section 6117.01 of the Ohio Revised Code, the VILLAGE of LEESVILLE has the authority to adopt, publish, administer and enforce the rules for the use of the sewer service. The VILLAGE of LEESVILLE Council believes that terminating sewer service to those customers who are delinquent in paying for such service would improve the efficiency and economy of providing this service. The VILLAGE of LEESVILLE Council shall enforce this rule concerning termination of service to delinquent sewer accounts. For the purpose of enforcing this rule and providing all rights afforded by due process, the VILLAGE Clerk of the VILLAGE of LEESVILLE Sewer System is instructed to provide advanced notification of the possible termination of services to all delinquent customers

and an opportunity for each customer to challenge disputed bills. Collection and disconnection of services will be implemented following the procedures outlined in Exhibit D of this ordinance.

2. The VILLAGE of LEESVILLE may chose, in lieu of disconnection, to assess the amount due, plus an additional $250.00 service fee, to the owner's property tax, or seek other litigation for payment of services rendered.

SECTION I. OTHER CHARGES BY AGREEMENT

1. The VILLAGE may, in special cases, establish additional charges for wastes of unusual strength or composition which are accepted for treatment.

SECTION J. DISCONNECTION OR RECONNECTION

1. A user who certifies his or her building is not habitable may request the VILLAGE to disconnect a building from the sewage collection system. Upon such request, the VILLAGE shall remove or close the sewer connections and/or remove any publicly owned equipment.

2. Thereafter, the owner of the premises shall not allow the building to be utilized for human occupancy as a residence or place of employment and the VILLAGE shall not bill for sewer service.

3. Violation of # 2 above will subject the owner to the mandatory connection provisions of this regulation and Ohio law.

4. A person or subsequent owner of a property disconnected who disconnects from the sewage collection system may later request to be reconnected. Upon approval by the VILLAGE, the VILLAGE shall reopen sewer connections and/or replace publicly own equipment.

5. The charge for disconnection or reconnection shall be $250.00 paid to the VILLAGE before performance of the work. A personal check will be accepted, however, there will be an additional ten (10) day delay to allow for processing of the check.

6. The owner or representative shall be present at the time of disconnection or reconnection in order to provide necessary access.

III. MISCELLANEOUS

SECTION A. LIBERAL INTERPRETATION

1. These regulations shall be interpreted liberally to effectuate its broad remedial purpose of protection of the public health, safety and welfare. Absent a showing of actual abuse of discretion, the VILLAGE's interpretation of these regulations shall have a strong presumption of validity.

SECTION B. GRIEVANCES AND APPEALS

1. Any user aggrieved by a decision of the VILLAGE under these regulations may file a written grievance with the VILLAGE. The written grievance shall set forth the substance of the VILLAGE's decision and the basis of the user's complaint.

2. The VILLAGE shall investigate the grievance and issue a written determination. The determination should include the following:

   a. Name, address and location of the premises of the user;
   b. A summary of the user's claim;
   c. A summary of the facts revealed by the VILLAGE's investigation;
   d. An interpretation of any applicable regulation, law or policy;
   e. A notice of the user's right of appeal to the VILLAGE.
   f. A copy of this grievance and appeal procedure.

3. No legal action in the courts of the state or federal government shall be initiated by any user until completion of this administrative remedy.

SECTION C. ENFORCEMENT AND PENALTIES

1. Upon the violation of any provision of these regulations, the VILLAGE shall serve written notice by actual delivery or certified mail upon the user. Such written notice shall adequately state the nature of the violation and provide at least ten (10) days for the correction of the violation, unless the VILLAGE finds a shorter period is required to protect the public health, safety or welfare.

2. Upon failure to correct the violation within the specified time limit, the VILLAGE may file in any court of competent jurisdiction an action for injunctive relief, civil damages and/or penalties.

3. The following civil penalties shall apply for the violation of the following provisions of this regulation:

   a. Twenty-five dollars ($25) for each day of violation after the time limit specified by the VILLAGE in its notice for each of the following sections:

      I. SEWER USE REGULATIONS, SECTION E, PARAGRAPH 1, DISCHARGES TO THE PUBLIC SEWERS

b. Fifty dollars ($50) for each day of violation after the time limit specified by the VILLAGE in its notice for each of the following sections:

I. SEWER USE REGULATIONS, SECTION A, ALL PARAGRAPHS, USE OF PUBLIC SEWERS REQUIRED

c. One thousand dollars ($1000) for each day of violation after the time limit specified by the VILLAGE in its notice for each of the following sections:

I. SEWER USE REGULATIONS, SECTION E, DISCHARGES TO THE PUBLIC SEWERS, PARAGRAPH 3.
I. SEWER USE REGULATIONS SECTION N, PRETREATMENT REPORTING
I. SEWER USE REGULATIONS, SECTION E, DISCHARGE TO THE PUBLIC SEWERS, PARAGRAPH 4.
I. SEWER USE REGULATIONS, SECTION A, PROHIBITED NONRESIDENTIAL DISCHARGES, PARAGRAPH 1.

4. In addition to the foregoing civil penalties, the VILLAGE may recover civil damages for any expense, loss or damage, including attorney's fees, occasioned by a user's violation of these regulations.

SECTION D. INVALIDITY AND SEPARABILITY

1. Invalidity of any section, clause, sentence or provision in this Ordinance shall not affect the validity of any other section, clause, sentence or provision of this Ordinance or subsequent Ordinances

SECTION E. REPEAL OF CONFLICTING ORDINANCES

1. All Ordinances or parts of Ordinances, or regulations or parts of regulations, in conflict with this Ordinance are hereby repealed.

SECTION F. FUTURE MODIFICATIONS

1. These Regulations may be modified at any time in the future by a vote of at least majority of the seats filled at that time.

EXHIBIT A. SEWER CONSTRUCTION PERMIT FORM

Physical address of building or property:

_____

Name of owner: _____

Owner's mailing address (street, city, state, zip code):

_____

Owner's phone number:

_____

Residential: _____

Home: _____ Apartment: _____ Trailer (in trailer park): _____ Vacation cottages: _____

Commercial: _____

Name of business:

_____

Industrial: _____

Name of business:

_____

Other: _____

Name:

_____

Name of contractor:

_____

Contractor's phone number:

_____

$75.00 Inspection fee attached Yes _____ No _____

EXHIBIT A. SEWER CONSTRUCTION PERMIT FORM

Physical address of building or property:

_____

Name of owner: _____

Owner's mailing address (street, city, state, zip code):

_____

Owner's phone number:

_____

Residential: _____

Home: _____ Apartment: _____ Trailer (in trailer park): _____ Vacation cottages: _____

Commercial: _____

Name of business:

_____

Industrial: _____

Name of business:

_____

Other: _____

Name:

_____

Name of contractor:

_____

Contractor's phone number:

_____

$75.00 Inspection fee attached Yes _____ No _____

SECTION 306 TRENCHING, EXCAVATION AND BACKFILL

306.1 Support of piping. Buried piping shall be supported throughout its entire length.

306.2 Trenching and bedding. Where trenches are excavated such that the bottom of the trench forms the bed for the pipe, solid and continuous load-bearing support shall be provided between joints. Bell holes, hub holes and coupling holes shall be provided at points where the pipe is joined. Such pipe shall not be supported on blocks to grade. In instances where the materials manufacturer's installation instructions are more restrictive than those prescribed by the code, the material shall be installed in accordance with the more restrictive requirement.

306.2.1 Overexcavation. Where trenches are excavated below the installation level of the pipe such that the bottom of the trench does not form the bed for the pipe, the trench shall be backfilled to the installation level of the bottom of the pipe with sand or fine gravel placed in layers of 6 inches (152 mm) maximum depth and such backfill shall be compacted after each placement.

306.2.2 Rock removal. Where rock is encountered in trenching, the rock shall be removed to a minimum of 3 inches (76 mm) below the installation level of the bottom of the pipe, and the trench shall be backfilled to the installation level of the bottom of the pipe with sand tamped in place so as to provide uniform load-bearing support for the pipe between joints. The pipe, including the joints, shall not rest on rock at any point.

306.2.3 Soft load-bearing materials. If soft materials of poor load-bearing quality are found at the bottom of the trench, stabilization shall be achieved by over-excavating a minimum of two pipe diameters and backfilling to the installation level of the bottom of the pipe with fine gravel, crushed stone or a concrete foundation. The concrete foundation shall be bedded with sand tamped into place so as to provide uniform load-bearing support for the pipe between joints.

306.3 Backfilling. Backfill shall be free from discarded construction material and debris. Loose earth free from rocks, broken concrete and frozen chunks shall be placed in the trench in 6-inch (152 mm) layers and tamped in place until the crown of the pipe is covered by 12 inches (305 mm) of tamped earth. The backfill under and beside the pipe shall be compacted for pipe support. Backfill shall be brought up evenly on both sides of the pipe so that the pipe remains aligned. In instances where the manufacturer's installation instructions for materials are more restrictive than those prescribed by the code, the material shall be installed in accordance with the more restrictive requirement.

306.4 Tunneling. Where pipe is to be installed by tunneling, jacking or a combination of both, the pipe shall be protected from damage during installation and from subsequent uneven loading. Where earth tunnels are used, adequate supporting structures shall be provided to prevent future settling or caving.

Exhibit D

VILLAGE OF LEESVILLE
PO BOX 204
LEESVILLE, OH 44639

DATE: FIRST NOTICE

NAME OF CUSTOMER
ADDRESS OF CUSTOMER
LEESVILLE, OH 44639

RE: SEWER ACCOUNT #_____ for PROPERTY at _____

DEAR _____;

According to our records, your sewer account is 30 days past due. Payment in full must be made in order to avoid legal action. This action is authorized by the Ohio Revised Code 6117.02 (C) 3 and the VILLAGE of LEESVILLE Ordinance No 1-2018. The balance due on this account as of this date is $_____.

If you feel these charges are in error and/or you are not responsible for these charges, you must contact our office within five (5) working days from receipt of t his letter for an appointment with the VILLAGE Clerk to present proof of your dispute.

Sincerely,

FISCAL OFFICER
VILLAGE of LEESVILLE Sewer Billing

Cc: file

Parcel No. _____

VILLAGE OF LEESVILLE
PO BOX 204
LEESVILLE, OH 44639

DATE

SECOND NOTICE (PRE-FINAL)

NAME OF CUSTOMER
CUSTOMER ADDRESS
LEESVILLE, OH 44639

RE: SEWER ACCOUNT #_____ for Property at _____

Dear _____:

This office has previously sent notice to you that your sewer account is in arrears and payment must be made in order to avoid disconnection of sanitary sewer services. As of today's date we have had no response to our request for payment nor has there been any attempt to make payment arrangements. That being said, we must now place your account on our shut-off listing for disconnection. To avoid additional penalties and fees, you must pay your delinquent balance of $_____ in addition to any accrued charges at the time of payment in order to avoid disruption of service.

If the sanitary sewer balance at the above property is not received in full by our office, an additional fee of $250.00 plus the current balance due will be assessed to your property tax, or further legal action may be taken. You have until 10 calendar days from the date of this letter in which to respond before action is taken.

Sincerely,

FISCAL OFFICER
VILLAGE of LEESVILLE Sewer Billing

Cc: _____, Attorney
File

Parcel No. _____

VILLAGE OF LEESVILLE
P.O. BOX 204
LEESVILLE, OH 44639

ORDINANCE NO. 4-2017

AN ORDINANCE APPROVING THE FINAL DRAFT SOLID WASTE MANAGEMENT PLAN OF THE CARROLL, COLUMBIANA, AND HARRISON JOINT SOLID WASTE MANAGEMENT DISTRICT, AND DECLARING AN EMERGENCY

WHEREAS, the Board of Directors (Board) of the Carroll, Columbiana, and Harrison Joint Solid Waste Management District (District) has established and convened a "solid waste management policy committee" in accordance with Section 3734.54 of the Revised Code (Policy Committee) to prepare a "solid waste management plan" for the District as required by Section 3734.54 (Plan); and

WHEREAS, the Policy Committee completed a draft amended Plan for the District and submitted that plan to the Director of the Ohio Environmental Protection Agency for preliminary review and comment in accordance with Sections 3734.54 and 3734.55 of the Revised Code; and

WHEREAS, the Policy Committee received the Director's written, non-binding advisory opinion regarding the draft amended Plan and established a public comment period and held three public hearings concerning the draft amended Plan; and

WHEREAS, the Policy Committee, after consideration of the comments and recommendations received concerning the draft amended Plan, has adopted and submitted to this legislative authority a copy of the draft amended Plan for the District (the "Final Draft Amended Plan"); and

WHEREAS, this legislative authority is required by Division (B) of Section 3734.55 of the Revised Code to approve or disapprove the Final Draft Amended Plan within 90 days after receiving a copy of the Final Draft Amended Plan and has been requested to approve the Final Draft Amended Plan;

NOW, THEREFORE, BE IT ORDAINED by the Council of **Leesville Village, Carroll County, Ohio**, that:

Section 1. The Final Draft Amended Plan is hereby approved in the form submitted to this legislative authority and presently on file with the Clerk of this legislative authority.

Section 2. The Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver promptly a copy of this resolution (where a copy is equal to an original) to the Policy Committee.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

First Reading: October 10, 2017
Second Reading: November 21, 2017
Third and Final Reading, with Passage: December 5 2017.

Passed: December 5, 2017

John Traxler, Mayor

Attest:
Sally Bernhart, Fiscal Officer

Approved as to form:
Jason Jackson, Solicitor